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SUBJECT: FSC-PC JUNE 4: CYBER SECURITY AND PREPARATION FOR
BMS

¶1. (SBU) Summary: The Estonian defense minister and other speakers discussed cyber security and the need for the OSCE to remain involved in coordinating the efforts of participating States (pS) in responding to emerging threats to information and communication systems. Speakers extolled the Council of Europe's Convention on Cybercrime as an example of the international cooperation needed.

¶2. (SBU) The special working group to prepare the OSCE contribution to the Biennial Meeting of States (BMS) on the UN Program of Action on Small Arms and Light Weapons (SALW) discussed the products needed for the July 14-16 meeting in New York. These will include an oral presentation and a written report. Delegations generally agreed to focus on existing programs and documents, including brokering and end-user certificates. Germany lamented the absence of any normative work on SALW over the last four years and recommended considering the merger of the OSCE Documents on SALW and Stockpiles of Conventional Ammunition. End summary.

Cyber Security

¶3. (SBU) Jaak Aaviksoo, the Estonian Minister of Defense, told the June 4 joint PC-FSC meeting there was a continued need for international and domestic legal frameworks regimes to address threats to cyber security, including use of the Internet by terrorists and attacks on the Internet and other information systems. Aaviksoo urged all countries to join the European Council's Convention on Cybercrime. Inter-state cooperation was essential, and the OSCE could have a role in fostering cooperation among policymakers, experts, and other stakeholders. (FSC-PC.DEL/18/08)

¶4. (SBU) The UK, Canada (FSC-PC.DEL/23/08), Germany, France, and Russia (Voronkov), agreed that the OSCE could respond to the emerging threats by further discussion and exploring ways to develop concrete actions, although Russia's definition of cybercrime seemed to include websites that propagated extremist views without necessarily directly connecting them to terrorist activities.

¶5. (SBU) Voronkov welcomed further OSCE efforts on cyber security, mentioning favorably "recent documents and conferences" on the subject, particularly the "Public-Private Partnership." Voronkov noted a connection between terrorist use of the Internet and unrest in the Caucasus. He reported that terrorists use sites controlled from computers in the Baltics, Finland, and Sweden. Voronkov called for international legal frameworks to identify terrorist websites and monitor their activities. Such legal regimes need not conflict with human rights principles, he added, but would actually buttress a fundamental human right to life itself. (FSC-PC.DEL/22/08)

¶6. (SBU) Belarus (Pavlov) noted the use of the Internet to incite ethnic and religious hatred. He said transnational crimes committed through the Internet require international cooperation to prevent or prosecute them. The OSCE could work with specialist organizations like Interpol to coordinate national efforts while avoiding politicization of cyber security. (FSC-PC.DEL/24/08)

¶7. (SBU) The U.S. (Finley) mentioned the recent cyber attacks on Radio Free Europe/Radio Liberty Internet sites in Belarus and supported further OSCE work on cyber security, particularly in cooperation with other international organizations like NATO. Ambassador Finley also announced the distribution of remarks on cyber security by Homeland Security Secretary Chertoff at the 2008 RSA conference. (FSC-PC.DEL/20/08)

¶8. (SBU) Armenia (Tabibian) observed it was perhaps less vulnerable than some ps because its information infrastructure was less developed. He described information technology as a "Faustian deal" that brings added vulnerabilities as well as advantages. A fundamental concern in cyber security should be the privacy of the individual, he concluded, as the cyber realm creates a "culture of licentiousness and gossip."

European Council's Convention on Cybercrime

¶9. (SBU) Alexander Seger, head of the economic crime division at the legal directorate in the Council of Europe, explained the organization and provisions of the Council's Convention on Cybercrime, which the U.S. and 22 other states have ratified. He noted that cybercrime is transnational, yet there is no consolidated international response to it. He said there remained a need to balance states' interest in preventing and prosecuting cybercrime and protecting privacy. The Convention on Cybercrime contains both procedural and substantive provisions, including measures for preserving electronic evidence that are relevant to general criminal investigations. Seger touched on the Council's Convention for the Prevention of Terrorism, which the U.S. has not joined, and concluded there was at present no need for additional international legal instruments beyond these two conventions. (FSC-PC.DEL/19/08)

Finnish Approaches to Cyber Security

¶10. (SBU) Colonel Aapo Cederberg of the Finnish Ministry of Defense explained his country's "total defense" approach to securing vital national functions. This draws on the legacy of Finland's "nation in arms" experiences in World War II and involves coordinated action between different sectors of Finnish society. Total defense is designed to preserve a well-functioning economy and infrastructure, including

information and communications technology. (FSC-PC.DEL/15/08)

¶11. (SBU) Erka Koivunen, head of the emergency response team from the Finnish Communication Regulatory Authority, briefed the organization and functions of his team, which provides a coordinated response to information security incidents. Koivunen said that Finland had a robust domestic IT infrastructure but was still dependent on outside resources for its functioning, e.g., the "main route" to the Internet passes physically through Sweden. Thanks in part to the efforts of his agency, Finland has among the "cleanest" networks in the world, as measured by the presence of "malware" in host servers. (FSC-PC.DEL/16/08)

Azerbaijan Attacks France (and Armenia)

¶12. (SBU) Azerbaijan (Ismayilov) launched a long tirade against France for mentioning, in its report of a Vienna Document inspection in Armenia, the Armenian charge that

Azerbaijan is in excess of its CFE equipment quotas. Ismayilov said the place to raise this issue was the Joint Consultative Group. He criticized France's apparent partiality to Armenia, particularly offensive because France was a member of the OSCE-sponsored Minsk Group charged with resolving the conflict between Armenia and Azerbaijan over Nagorno-Karabakh. He also referred to his country's May 14 intervention in the FSC challenging Armenia's nil response in its 2008 Code of Conduct submission to the question of how many of its forces were serving outside its national territory.

¶13. (SBU) Armenia (Hovhannisyan) complained it had not been given warning of the Azerbaijani intervention. France (Simonet), also noting the absence of warning, reserved the right to reply.

Georgia Reports More Russian Troops Deployed

¶14. (SBU) Georgia reported that Russia had deployed additional forces into the disputed separatist region of Abkhazia without Georgian consent. Despite Russian assurances of benign intentions, Georgia saw these recent deployments as part of Russia's large-scale preparation for aggression against it and called on all states to prevent this aggression. (Note: The Georgian and Russian delegations were at this time meeting separately as part of the consultative mechanism of Chapter III of the Vienna Document 1999 to discuss the situation in Abkhazia including the April 20 UAV incident. End note.)

Ireland Pitches Cluster Munitions Ban

¶15. (SBU) Ireland (O'Leary) announced an agreement to ban cluster munitions had been completed by a diplomatic conference in Dublin recently. O'Leary called on all states to join the agreement while noting the absence from the conference of "some of the major producers of cluster munitions." The agreement will, he said, stigmatize any use of these munitions.

SALW/SCA Donations

¶16. (SBU) Finland announced it was contributing 345,000 euros to Tajikistan for stockpile security, phase II, task 3 of the OSCE SALW project there. Finland also will contribute 15,000 euros to Albania for melange disposition.

¶17. (SBU) Denmark announced it too was contributing 15,000 euros for melange disposition in Albania.

Code of Conduct Outreach

¶18. (SBU) Austria (Eischer), the Code of Conduct coordinator, announced a September 22-24 conference in Almaty, Kazakhstan for central Asian pS on the Code of Conduct. Details and invitations will follow.

¶19. (SBU) Estonia (Parts), the FSC chair, announced it planned a June Code of Conduct outreach meeting with the OSCE Partners for Cooperation. She solicited views and

suggestions for content of the meeting from all pS.

Special Working Group Meeting on BMS and Future SALW Actions

¶20. (SBU) Discussion of the OSCE contribution of the Third Biennial Meeting of States on the UN Program of Action on SALW (BMS), to be held in New York July 14-18, at the special working group meeting did not result in agreement on the specifics of the contribution, although there was general support for including information about ongoing OSCE programs in SALW including normative documents. The chair announced that Vasily Pavlov (Belarus), the current chair of the Informal Group of Friends of SALW, and Colonel Steven Hartnell (UK), who will follow Pavlov in the chair this summer, will represent the OSCE at the BMS. The chair also reported that the OSCE planned a side event and exhibition of its SALW work at the BMS.

¶21. (SBU) There was prolonged discussion over the content of the oral and written reports the OSCE will present at the BMS. Belarus (Pavlov) suggested including information about both the normative and practical sides of OSCE work on SALW, including currently pending draft decisions for an information exchange of end-user certificates and a Best Practices Guide on regulation of air transport of SALW, as well as the recent decision on updating the OSCE MANPADS export controls principles.

¶22. (SBU) Germany (Schweizer) said that the limited time for an oral presentation meant it should concentrate solely on implementation of existing documents and project work. This would include implementation of extant documents on brokering and end-user certificates. Schweizer lamented the lack of OSCE normative work on SALW over the last four years. The OSCE seemed to be better at generating ideas than others realized than doing the work itself, he said.

¶23. (SBU) Russia (Petr Litavrin, Russian MFA security affairs and disarmament deputy director) countered that the OSCE had an enviable record of accomplishments in SALW, unlike the UN Program of Action (UNPOA) that had limited impact because of funding constraints. Litavrin also noted that UNPOA reports had diminishing substance and influence. Litavrin suggested a focus on international brokering of SALW, as well as export controls and MANPADS.

¶24. (SBU) Finland (Kangste) reminded that the OSCE could participate in the thematic sessions at the BMS besides the meeting for regional organizations. Sweden (Nilsson) suggested it was good news that, as Schweizer had noted, other organizations were now sharing the burden of work on SALW.

¶25. (SBU) Slovenia, as EU president, supported concentration on physical security and stockpile management, surplus destruction, marking and tracing, export and border controls, and the control of brokering. The EU continues to support work on an international treaty to regulate trade in arms. (FSC.DEL/110/08)

¶26. (SBU) The Conflict Prevention Center (Kytomaki) reported on its participation in the OSCE and European-Atlantic Partnership Council "synergy" conference May 28-30 in Brussels at NATO. Kytomaki reported the conference concluded there was insufficient implementation of existing SALW obligations and scarce cooperation among international and regional organizations. The conference report is available through the CPC.

¶27. (SBU) The chair will prepare the reports for the BMS with the assistance of the CPC and the chair of the IGOF of SALW. Germany made a point of wanting to see the draft reports before the BMS, as did Turkey. Sweden and Canada, while happy to review the drafts, expressed full confidence in the FSC chair and do not believe additional discussion of the drafts would be necessary.

Future Actions on SALW

¶28. (SBU) During the last part of the special working group, delegations were asked to consider future actions on SALW. Germany (Schweizer) suggested it was time to undertake a review of the OSCE Document on SALW. In the context of the BMS, he suggested, perhaps OSCE SALW reporting requirements could be "standardized" in light of the UNPOA. Schweizer also suggested considering the merger of the OSCE Documents of SALW and Conventional Ammunition.

¶29. (SBU) Russia (Litavrin) rejoined that SALW and SCA were two different threats: SALW work meant efforts to prevent inappropriate transfer, while ammunition and other munitions represented a safety and environmental threat wherever they were. Schweizer responded that, when considering a merger of the documents, he had in mind "SALW and its ammunition," not the entire realm of explosive devices and munitions. Litavrin separately remarked to USDel that he anticipated some personnel changes at MFA, particularly in his department (DVBR). These could result in "fresh approaches" to security issues.

¶30. (SBU) Sweden (Nilsson) agreed it might be time to undertake a thorough review of the OSCE Document on SALW. Should the OSCE task itself to do this at the 2008 Ministerial in Helsinki? Perhaps the OSCE should also review the need for separate documents on SALW and ammunition. Belarus said any review would involve experts from capitals meeting under OSCE auspices. Finland said the OSCE should seek a "global" endorsement of its SALW norms and programs. Switzerland is prepared to explore further work in SALW.

Future Meetings

¶31. (SBU) The FSC will return to its standard agenda in the Plenary and working groups at its next meeting on June 11. Austria (Eischer) told USDel that it will make a presentation on "private military companies" at the June 25 FSC.
FINLEY